IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

WP(C).No. 16651 of 2007(G)

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PETITIONER:

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JOY, S/O.THOMAS, NEREVEETTIL,
KENNADYMUKKU, VAZHAKKALA VILLAGE,
THRIKKAKARA PANCHAYAT, ERNAKULAM DISTRICT.

BY ADV. SRI.P.GEORGE WILLIAM
SMT.N.D.DEEPA

RESPONDENTS:

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1. THE SECRETARY (SPECIAL GRADE),
THRIKKAKARA GRAMA PANCHAYAT, KAKKANADU P.O.,
COCHIN-682030.

2. THE DISTRICT COLLECTOR,
COLLECTORATE, ERNAKULAM.

R1 BY ADV. SRI.S.SHANAVAS KHAN
R2 BY GOVT. PLEADER SRI. P.K. RAVIKRISHNAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 16651/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE COPY OF THE NOTICE NO.B2/449/07 DATED 11.4.2007.

EXT. P2 : TRUE COPY OF REPLY DATED 26.4.2007.

EXT. P3 : TRUE COPY LETTER NO. M7-25560/07/R DIS DATED 10.5.2007.

**K.M.JOSEPH, J.**

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WP.(C) No.16651 of 2007

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Dated this the 13th day of June, 2007

**JUDGMENT**

Petitioner challenges Exts. P1 and P3. Ext.P1 is issued by the local authority. Ext.P3 is issued by the second respondent.

2. Heard counsel for the petitioner, learned Government Pleader and counsel for the first respondent also. After hearing counsel for the parties an interim order has been passed staying Ext.P1 for a period of one week. Case of the petitioner is that Ext.P3 is issued without hearing the petitioner. As far as Ext.P1 is concerned, learned counsel for the Panchayat submits that the petitioner has already moved Ext.P2 before the first respondent, and it will be considered in accordance with law.

3. Learned Government Pleader submits that if the petitioner files a representation within a fixed time, the second respondent will consider the matter after hearing the petitioner. In such circumstances, the writ petition is disposed of as follows:

There will be a direction to the first respondent to consider

Ext.P2 after affording an opportunity of hearing to the petitioner and pass appropriate orders in accordance with law. If the petitioner files a representation within two weeks from today before the second respondent in regard to Ext.P3, the second respondent will consider the same after affording an opportunity of hearing to the petitioner and also the first respondent and take a decision in accordance with law. Till such time as a decision is taken by the respondents, the interim order passed by this court will continue.

(K.M. JOSEPH, JUDGE)

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